

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BOBBY LEE MONTGOMERY,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants.

2:12-cv-817-MMD-NJK

ORDER

Before the Court is Plaintiff's Motion for Disclosed Medical Records Order. Docket No. 35. The Court finds this motion appropriately resolved without oral argument. Local Rule 78-2.

BACKGROUND

Plaintiff requests a court order requiring Octapharma Plasma Inc., in Las Vegas, Nevada, to provide him with his medical records. *See* Motion, Docket No. 35. Plaintiff explains that he was an ironworker in Arlington, Texas, but then became homeless for several months after he was arrested by the Las Vegas Metropolitan Police Department (LVMPD). *Id.* During that time, his only source of income became donating plasma. *Id.*

DISCUSSION

On April 19, 2013, the Court dismissed all of Plaintiff's claims against LVMPD with leave to amend. *See* Docket No. 40. At that point, to the extent that Plaintiff's Motion was relevant to his claims against LVMPD, his Motion became moot. Additionally, Plaintiff is requesting his own medical records from an entity that is not a party to this litigation. Plaintiff has not indicated that he served this request on Octapharma Plasma Inc., nor that he has attempted to obtain this information without Court intervention.

CONCLUSION

Based on the foregoing, and good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiff's Motion for Disclosed Medical Records Order (#35) is DENIED without prejudice.

DATED this 27th day of August, 2013



NANCY J. KOPPE
United States Magistrate Judge